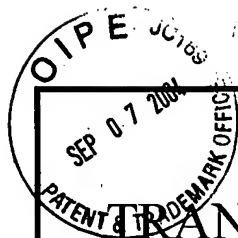


89-8-27

DAC JTW
\$

Express Mail Mailing Label No. EV399912750US



TRANSMITTAL FORM

Application Serial Number	10/005,212
Filing Date	December 4, 2001
First Named Inventor	Gillies
Group Art Unit	1646
Examiner Name	P. M. Mertz
Attorney Docket No.	LEX-002C1

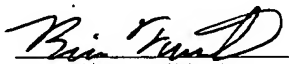
ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Check Attached <input type="checkbox"/> Copy of Fee Transmittal Form <input type="checkbox"/> Amendment/Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Letter to Official Draftsperson including Drawings [Total Sheets ____] <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Information Disclosure Statement Form 1449 <input type="checkbox"/> Copies of IDS Citations <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application	<input type="checkbox"/> Copy of Notice to File Missing Parts of Application (PTO-1553) <input type="checkbox"/> Formal Drawing(s) <input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition <input type="checkbox"/> To Convert to a Provisional Application <input type="checkbox"/> Power of Attorney (Revocation of Prior Powers) <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Executed Declaration and Power of Attorney for Utility or Design Patent Application <input type="checkbox"/> Small Entity Statement <input type="checkbox"/> Request for Refund <input type="checkbox"/> After Allowance Communication to Group	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Return receipt postcard <input type="checkbox"/> Certificate of First Class Mailing under 37 C.F.R. 1.8 <input checked="" type="checkbox"/> Additional Enclosure(s) (please identify below) <input checked="" type="checkbox"/> Application for Patent Term Adjustment
--	---	--


CORRESPONDENCE ADDRESS

Direct all correspondence to: Patent Administrator
 Testa, Hurwitz & Thibault, LLP
 High Street Tower
 125 High Street
 Boston, MA 02110
 Tel. No.: (617) 248-7000
 Fax No.: (617) 248-7100

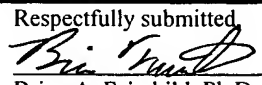
SIGNATURE BLOCK

Respectfully submitted,

 Brian A. Fairchild, Ph.D.
 Attorney for Applicant(s)
 Testa, Hurwitz & Thibault, LLP
 High Street Tower
 125 High Street
 Boston, MA 02110

Date: September 7, 2004
 Reg. No. 48,645
 Tel. No.: (617) 248-7697
 Fax No.: (617) 248-7100

 FEE TRANSMITTAL FY 2004	Complete if Known		
	Application Serial Number	10/005,212	
	Filing Date	December 4, 2001	
	First Named Inventor	Gillies	
	Group Art Unit	1646	
	Examiner Name	P. M. Mertz	
		Attorney Docket No.	LEX-002C1

METHOD OF PAYMENT					FEE CALCULATION (continued)																																																																																								
1. <input checked="" type="checkbox"/> Payment Enclosed: <input checked="" type="checkbox"/> Check <input type="checkbox"/> Money Order <input type="checkbox"/> Other					3. ADDITIONAL FEES																																																																																								
2. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to credit or charge any fee indicated below for this submission to Deposit Account No. 20-0531. <input type="checkbox"/> Required Fees (copy of this sheet enclosed). <input checked="" type="checkbox"/> Additional fee required under 37 CFR 1.16 and 1.17. <input checked="" type="checkbox"/> Overpayment Credit.					<table border="1"> <thead> <tr> <th>Large Entity Fee (\$)</th> <th>Small Entity Fee (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr> <td>130</td> <td>65</td> <td>Surcharge - late filing fee or oath</td> <td></td> </tr> <tr> <td>50</td> <td>25</td> <td>Surcharge - late provisional filing fee or cover sheet</td> <td></td> </tr> <tr> <td>130</td> <td>130</td> <td>Non-English specification</td> <td></td> </tr> <tr> <td>2,520</td> <td>2,520</td> <td>Request for ex parte reexamination</td> <td></td> </tr> <tr> <td>110</td> <td>55</td> <td>Extension for reply within first month</td> <td></td> </tr> <tr> <td>420</td> <td>210</td> <td>Extension for reply within second month</td> <td></td> </tr> <tr> <td>950</td> <td>475</td> <td>Extension for reply within third month</td> <td></td> </tr> <tr> <td>1480</td> <td>740</td> <td>Extension for reply within fourth month</td> <td></td> </tr> <tr> <td>2010</td> <td>1005</td> <td>Extension for reply within fifth month</td> <td></td> </tr> <tr> <td>330</td> <td>165</td> <td>Notice of Appeal</td> <td></td> </tr> <tr> <td>330</td> <td>165</td> <td>Filing a brief in support of an appeal</td> <td></td> </tr> <tr> <td>290</td> <td>145</td> <td>Request for oral hearing</td> <td></td> </tr> <tr> <td>130</td> <td>130</td> <td>Petitions to the Commissioner</td> <td></td> </tr> <tr> <td>180</td> <td>180</td> <td>Submission of Information Disclosure Statement</td> <td></td> </tr> <tr> <td>770</td> <td>385</td> <td>Filing a submission after final rejection (37 CFR 1.129(a))</td> <td></td> </tr> <tr> <td>770</td> <td>385</td> <td>For each additional invention to be examined (37 CFR 1.129(b))</td> <td></td> </tr> <tr> <td>100</td> <td>100</td> <td>Certificate of Correction for applicant's error</td> <td></td> </tr> <tr> <td>110</td> <td>55</td> <td>Submission of Terminal Disclaimer</td> <td></td> </tr> <tr> <td colspan="2">Other fee (Specify)</td> <td>Application for Patent Term Adjustment</td> <td>200.00</td> </tr> <tr> <td colspan="2">Other fee (Specify)</td> <td></td> <td></td> </tr> </tbody> </table>					Large Entity Fee (\$)	Small Entity Fee (\$)	Fee Description	Fee Paid	130	65	Surcharge - late filing fee or oath		50	25	Surcharge - late provisional filing fee or cover sheet		130	130	Non-English specification		2,520	2,520	Request for ex parte reexamination		110	55	Extension for reply within first month		420	210	Extension for reply within second month		950	475	Extension for reply within third month		1480	740	Extension for reply within fourth month		2010	1005	Extension for reply within fifth month		330	165	Notice of Appeal		330	165	Filing a brief in support of an appeal		290	145	Request for oral hearing		130	130	Petitions to the Commissioner		180	180	Submission of Information Disclosure Statement		770	385	Filing a submission after final rejection (37 CFR 1.129(a))		770	385	For each additional invention to be examined (37 CFR 1.129(b))		100	100	Certificate of Correction for applicant's error		110	55	Submission of Terminal Disclaimer		Other fee (Specify)		Application for Patent Term Adjustment	200.00	Other fee (Specify)			
Large Entity Fee (\$)	Small Entity Fee (\$)	Fee Description	Fee Paid																																																																																										
130	65	Surcharge - late filing fee or oath																																																																																											
50	25	Surcharge - late provisional filing fee or cover sheet																																																																																											
130	130	Non-English specification																																																																																											
2,520	2,520	Request for ex parte reexamination																																																																																											
110	55	Extension for reply within first month																																																																																											
420	210	Extension for reply within second month																																																																																											
950	475	Extension for reply within third month																																																																																											
1480	740	Extension for reply within fourth month																																																																																											
2010	1005	Extension for reply within fifth month																																																																																											
330	165	Notice of Appeal																																																																																											
330	165	Filing a brief in support of an appeal																																																																																											
290	145	Request for oral hearing																																																																																											
130	130	Petitions to the Commissioner																																																																																											
180	180	Submission of Information Disclosure Statement																																																																																											
770	385	Filing a submission after final rejection (37 CFR 1.129(a))																																																																																											
770	385	For each additional invention to be examined (37 CFR 1.129(b))																																																																																											
100	100	Certificate of Correction for applicant's error																																																																																											
110	55	Submission of Terminal Disclaimer																																																																																											
Other fee (Specify)		Application for Patent Term Adjustment	200.00																																																																																										
Other fee (Specify)																																																																																													
FEE CALCULATION																																																																																													
1. FILING FEE																																																																																													
<table border="1"> <thead> <tr> <th>Large Entity Fee (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr> <td>770</td> <td>Utility filing fee</td> <td></td> </tr> <tr> <td>340</td> <td>Design filing fee</td> <td></td> </tr> <tr> <td>160</td> <td>Provisional filing fee</td> <td></td> </tr> </tbody> </table>					Large Entity Fee (\$)	Fee Description	Fee Paid	770	Utility filing fee		340	Design filing fee		160	Provisional filing fee																																																																														
Large Entity Fee (\$)	Fee Description	Fee Paid																																																																																											
770	Utility filing fee																																																																																												
340	Design filing fee																																																																																												
160	Provisional filing fee																																																																																												
<table border="1"> <thead> <tr> <th></th> <th>Number Filed</th> <th>Number Extra</th> <th>Rate</th> <th>Amount</th> </tr> </thead> <tbody> <tr> <td>Total Claims</td> <td>- 20 =</td> <td></td> <td>x \$ 18.00 =</td> <td></td> </tr> <tr> <td>Independent Claims</td> <td>- 3 =</td> <td></td> <td>x \$ 86.00 =</td> <td></td> </tr> <tr> <td colspan="4"><input type="checkbox"/> Multiple Dependent Claim(s), if any</td> <td>\$290.00 =</td> </tr> <tr> <td colspan="4" style="text-align: right;">TOTAL:</td> <td></td> </tr> <tr> <td colspan="4" style="text-align: right;">SMALL ENTITY DISCOUNT:</td> <td></td> </tr> <tr> <td colspan="4" style="text-align: right;">SUBTOTAL (1)</td> <td>(\$) 0.00</td> </tr> </tbody> </table>						Number Filed	Number Extra	Rate	Amount	Total Claims	- 20 =		x \$ 18.00 =		Independent Claims	- 3 =		x \$ 86.00 =		<input type="checkbox"/> Multiple Dependent Claim(s), if any				\$290.00 =	TOTAL:					SMALL ENTITY DISCOUNT:					SUBTOTAL (1)				(\$) 0.00																																																						
	Number Filed	Number Extra	Rate	Amount																																																																																									
Total Claims	- 20 =		x \$ 18.00 =																																																																																										
Independent Claims	- 3 =		x \$ 86.00 =																																																																																										
<input type="checkbox"/> Multiple Dependent Claim(s), if any				\$290.00 =																																																																																									
TOTAL:																																																																																													
SMALL ENTITY DISCOUNT:																																																																																													
SUBTOTAL (1)				(\$) 0.00																																																																																									
2. AMENDMENT CLAIM FEES																																																																																													
<table border="1"> <thead> <tr> <th>Claims Remaining After Amend.</th> <th>Highest No. Previously Paid For</th> <th>Present Extra</th> <th>Rate</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr> <td>Total</td> <td>-</td> <td>=</td> <td>x \$ 18.00 =</td> <td></td> </tr> <tr> <td>Indep.</td> <td>-</td> <td>=</td> <td>x \$ 86.00 =</td> <td></td> </tr> <tr> <td colspan="4"><input type="checkbox"/> First Presentation of Multiple Dep. Claim</td> <td>+ \$290.00 =</td> </tr> <tr> <td colspan="4" style="text-align: right;">TOTAL:</td> <td>(\$)</td> </tr> <tr> <td colspan="4" style="text-align: right;">SMALL ENTITY DISCOUNT:</td> <td>(\$)</td> </tr> <tr> <td colspan="4" style="text-align: right;">SUBTOTAL (2)</td> <td>(\$)0.00</td> </tr> </tbody> </table>					Claims Remaining After Amend.	Highest No. Previously Paid For	Present Extra	Rate	Fee Paid	Total	-	=	x \$ 18.00 =		Indep.	-	=	x \$ 86.00 =		<input type="checkbox"/> First Presentation of Multiple Dep. Claim				+ \$290.00 =	TOTAL:				(\$)	SMALL ENTITY DISCOUNT:				(\$)	SUBTOTAL (2)				(\$)0.00	SUBTOTAL (3) (\$) 200.00																																																					
Claims Remaining After Amend.	Highest No. Previously Paid For	Present Extra	Rate	Fee Paid																																																																																									
Total	-	=	x \$ 18.00 =																																																																																										
Indep.	-	=	x \$ 86.00 =																																																																																										
<input type="checkbox"/> First Presentation of Multiple Dep. Claim				+ \$290.00 =																																																																																									
TOTAL:				(\$)																																																																																									
SMALL ENTITY DISCOUNT:				(\$)																																																																																									
SUBTOTAL (2)				(\$)0.00																																																																																									
					SUBTOTAL (1) 0.00 SUBTOTAL (2) 0.00 SUBTOTAL (3) 200.00																																																																																								
					TOTAL (\$) 200.00																																																																																								

CORRESPONDENCE ADDRESS	SIGNATURE BLOCK
Direct all correspondence to: Patent Administrator Testa, Hurwitz & Thibault, LLP High Street Tower-125 High Street Boston, MA 02110 Tel. No.: (617) 248-7000 Fax No.: (617) 248-7100	Respectfully submitted  Date: September 7, 2004 Reg. No.: 48,645 Tel. No.: (617) 248-7697 Fax No.: (617) 248-7100 Brian A. Fairchild, Ph.D. Attorney for the Applicants Testa, Hurwitz & Thibault, LLP High Street Tower-125 High Street Boston, MA 02110



Express Mail Mailing Label No. EV399912750US

PATENT
Attorney Docket No.: LEX-002C1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Gillies *et al.* CONF. NO.: 6802
SERIAL NO.: 10/005,212 GROUP NO.: 1646
FILING DATE: December 4, 2001 EXAMINER: P.M. Mertz
TITLE: Heterodimeric Fusion Proteins Useful for Targeted Immune
Therapy and General Immune Stimulation

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Application for Patent Term Adjustment
under 35 U.S.C. § 154(b) and 37 C.F.R. § 1.705(b)

Sir:

This is a request for reconsideration of the patent term adjustment indicated in the Notice of Allowance of June 8, 2004, for the above-referenced patent application. A copy of the Determination of Patent Term Adjustment under 35 U.S.C. § 154(b) is attached and labeled "Exhibit 1."

In accordance with 37 C.F.R. § 1.705(b)(1), Applicants enclose the fee set forth in 37 C.F.R. § 1.18(e). Please charge any deficiency and credit any overpayment to deposit account 20-0531.

Applicants provide the following statement of facts in accordance with 37 C.F.R. § 1.705(b)(2):

37 C.F.R. § 1.705(b)(2)(i)

1. Applicants submit that the correct patent term adjustment under 35 U.S.C. § 154(b) up to the mailing date of the Notice of Allowance is **291** days. The basis for the adjustment is as follows:

Under 37 C.F.R. § 1.702(a)(1), the USPTO failed to mail at least one of a notification under 35 U.S.C. § 132 or a notice of allowance under 35 U.S.C. § 151 before the expiration of fourteen months after the date on which the application was filed.

09/10/2004 RHEBRAH1 00000067 10005212 200.00 0P
01 FC:1455

37 C.F.R. §§ 1.705(b)(2)(ii) and 1.703(a)

2. The relevant dates under 37 C.F.R. § 1.703(a)(1) specifying the period of adjustment under 37 C.F.R. § 1.702(a)(1) are as follow:

Adjustment under 37 C.F.R. § 1.702(a)(1)

- | | |
|--|------------------|
| i. Filing date of this application: | December 4, 2001 |
| ii. Day after the date that is fourteen months after the date on which the application was filed under 35 U.S.C. § 111(a): | February 5, 2003 |
| iii. Date of mailing of first action under 35 U.S.C. § 132: | January 14, 2004 |
| The number of days in the period beginning on February 5, 2003, and ending on January 14, 2004, is | |
| | 344 days. |

37 C.F.R. § 1.705(b)(2)(iii)

3. Applicants submit that the patent to be issued is subject to a terminal disclaimer, which disclaims the terminal part of any patent granted on the above-identified application that would extend beyond the full statutory term of U.S. Patent No. 6,617,135.

37 C.F.R. § 1.705(b)(2)(iv)

4. Applicants believe that there were two circumstances that may constitute a failure to engage in reasonable efforts to conclude processing or examination of this application as set forth in 37 C.F.R. § 1.704. These two circumstances are as follow:

A. Reduction of Period of Patent Term Adjustment under 37 C.F.R. § 1.704(b)

- | | |
|--|------------------|
| i. Date the Notice to File Missing Parts of Nonprovisional Application was mailed to the applicant: | January 31, 2002 |
| ii. Day after the date that is three months from the mailing date of the Notice to File Missing Parts of Nonprovisional Application: | May 1, 2002 |
| iii. Date the reply to the Notice to File Missing Parts was filed ("Date in" on Express Mail Mailing Label): | May 31, 2002 |
| The number of days in the period beginning on May 1, 2002, and ending on May 31, 2002, is | |
| | 31 days. |

Applicants attach a copy of the submission of May 31, 2002, labeled "Exhibit 2," including the postcard indicating that the Office accorded the submission a filing

date of May 31, 2002, and a copy of the "Express Mail" mailing label showing a "date in" of May 31, 2002.

Applicants submit that all other replies to any notice or action by the USPTO were filed within the three-month period set forth in 37 C.F.R. § 1.704(b).

B. Reduction of Period of Patent Term Adjustment under 37 C.F.R. § 1.704(c)(8)

- | | |
|---|-----------------|
| i. Filing date of Amendment and Response: | April 14, 2004 |
| ii. Day after the date that the Amendment and Response was filed: | April 15, 2004 |
| iii. Date the Fourth Supplemental Information Disclosure Statement was filed: | May 6, 2004 |
| The Number of days beginning on April 15, 2004, and ending on May 6, 2004, is | 22 days. |

37 C.F.R. §§ 1.705(b)(2)(ii) and 1.703(f)

5. The adjustment as specified in 37 C.F.R. § 1.703(f) to which the patent is entitled is the period of 344 days calculated under 37 C.F.R. § 1.703(a)(1), less the sum of the 31 and 22 day periods calculated under 37 C.F.R. § 1.704.

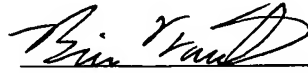
Accordingly, Applicants submit that the patent is entitled to a patent term adjustment of $344 - (31+22) = \underline{291}$ days, running from the expiration date of the patent as set forth in 35 U.S.C. § 154(a)(2).

If, for any reason, this Petition is found not to comply with the requirements of 37 C.F.R. § 1.705, or is otherwise found improper, it is requested that the undersigned attorney be contacted by telephone.

Respectfully submitted,

Date: September 7, 2004
Reg. No. 48,645

Tel. No.: (617) 248-7697
Fax No.: (617) 248-7100



Brian A. Fairchild, Ph.D.
Attorney for Applicant(s)
Testa, Hurwitz, & Thibault, LLP
High Street Tower
125 High Street
Boston, Massachusetts 02110



UNITED STATES PATENT AND TRADEMARK OFFICE



UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/005,212	12/04/2001	Stephen D. Gillies	LEX-002C1	6802

021323 7590 06/08/2004
TESTA, HURWITZ & THIBEAULT, LLP
HIGH STREET TOWER
125 HIGH STREET
BOSTON, MA 02110

EXAMINER

MERTZ, PREMA MARIA

ART UNIT	PAPER NUMBER
----------	--------------

1646

DATE MAILED: 06/08/2004

Determination of Patent Term Adjustment under 35 U.S.C. 154 (b) (application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 274 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 274 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) system (<http://pair.uspto.gov>).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (703) 305-1383. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at (703) 305-8283.



BEST AVAILABLE COPY

LEX-002C1
(4006/13)

The "RECEIVED" stamp of the Patent Office imprinted hereon acknowledges the filing of:
Transmittal Form (1 pg); Fee Transmittal Form (1 pg); a Check in the amount of \$980.00 and a Check in the amount of \$290.00; Petition for a Two Month Extension of Time (1 pg); Second Preliminary Amendment (2 pgs); Response to Notice to File Missing Parts (2 pgs); a Copy of the Notice to File Missing Parts (1 pg); and this return receipt postcard all mailed under Express Mail Label No. EL953455462US.

Name of Applicant: Gillies et al.

Intf. or Serial Number: 10/005,212

Atty: PRHWaller/SMehtani

Date: May 31, 2002
2376573

LEX-002C1
(4006/13)

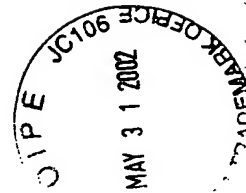
The "RECEIVED" stamp of the Patent Office imprinted hereon acknowledges the filing of:
Transmittal Form (1 pg); Fee Transmittal Form (1 pg); a Check in the amount of \$980.00 and a Check in the amount of \$290.00; Petition for a Two Month Extension of Time (1 pg); Second Preliminary Amendment (2 pgs); Response to Notice to File Missing Parts (2 pgs); a Copy of the Notice to File Missing Parts (1 pg); and this return receipt postcard all mailed under Express Mail Label No. EL953455462US.

Name of Applicant: Gillies et al.

Intf. or Serial Number: 10/005,212

Atty: PRHWaller/SMehtani

Date: May 31, 2002
2376573



01 515556 73

FORT POINT STA BOSTON MA 02205
MAY 31 2002
ROR AND LIMITS
FRAGE

SEE REVERSE SIDE FOR
SERVICE GUARANTEE AND LIMIT
ON INSURANCE COVERAGE

WARRANTY OF SIGNATURE (Contents Only): Additional merchandise insurance is valid if value of signature is requested. If not, delivery to be made without obtaining signature of addressee who is addressee's agent. If delivery employee judges that article can be left in secure location and authorize that delivery employee's signature constitutes valid proof of delivery.

NO DELIVERY ☐ **WORK** ☐ **DELIVERY** ☐

Federal Agency Acct. No. or
Postal Service Acct. No.

Customer Signature

TO: (PLEASE PRINT) _____ PHONE / _____

BOX MISSING: PARTS
COMMISSIONER FOR PATENTS
WASHINGTON DC 20231

THE COMMISSIONER FOR PATENTS,
HAS RECEIVED THE FOLLOWING
INVENTIONS:

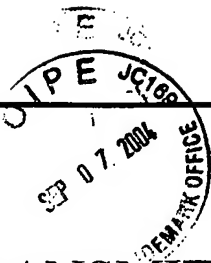
www.usps.com

www.usps.com

FOR PICKUP OR TRACKING CALL 1-800-222-1811

PRESS HARD.
You are making 3 copies.

PRESS HARD.
You are making 3



Express-Mail Label No. EL953455462US

TRANSMITTAL
FORM

Application Serial Number	10/005,212
Filing Date	December 4, 2001
First Named Inventor	Gillies
Group Art Unit	1646
Examiner Name	Not Yet Assigned
Attorney Docket No.	LEX-002C1
Patent No.	Not applicable
Issue Date	Not applicable

ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Checks Attached (2) <input type="checkbox"/> Copy of Fee Transmittal Form <input checked="" type="checkbox"/> Amendment/Response <input checked="" type="checkbox"/> Preliminary (2 pgs) <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Letter to Official Draftsperson including Drawings [Total Sheets _____] <input checked="" type="checkbox"/> Petition for Extension of Time <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Form PTO-1449 <input type="checkbox"/> Copies of IDS Citations <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Sequence Listing submission <input type="checkbox"/> Paper Copy/CD <input type="checkbox"/> Computer Readable Copy <input type="checkbox"/> Statement verifying identity of above	<input checked="" type="checkbox"/> Copy of Notice to File Missing Parts of Application (PTO-1553) <input type="checkbox"/> Formal Drawing(s) <input type="checkbox"/> Request For Continued Examination (RCE) Transmittal <input type="checkbox"/> Power of Attorney (Revocation of Prior Powers) <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Executed Declaration and Power of Attorney for Utility or Design Patent Application <input type="checkbox"/> Small Entity Statement <input type="checkbox"/> CD(s) for large table or computer program <input type="checkbox"/> Amendment After Allowance <input type="checkbox"/> Request for Certificate of Correction <input type="checkbox"/> Certificate of Correction (in duplicate)	<input type="checkbox"/> Notice of Appeal to Board of Patent Appeals and Interferences <input type="checkbox"/> Appeal Brief (in triplicate) <input type="checkbox"/> Status Inquiry <input checked="" type="checkbox"/> Return Receipt Postcard <input type="checkbox"/> Certificate of First Class Mailing under 37 C.F.R. 1.8 <input type="checkbox"/> Certificate of Facsimile Transmission under 37 C.F.R. 1.8 <input checked="" type="checkbox"/> Additional Enclosure(s) (please identify below) Response to Notice to File Missing Parts (2 pgs.)
--	---	--

CORRESPONDENCE ADDRESS

Direct all correspondence to: Patent Administrator
Testa, Hurwitz & Thibault, LLP
High Street Tower
125 High Street
Boston, MA 02110
Tel. No.: (617) 248-7000
Fax No.: (617) 248-7100

SIGNATURE BLOCK

Date: May 31, 2002
Reg. No. 41,418
Tel. No.: (617) 248-7240
Fax No.: (617) 248-7100

Respectfully submitted,

Pat R H Wall
Patrick R. H. Waller, Ph.D.
Attorney for Applicant(s)
Testa, Hurwitz & Thibault, LLP
High Street Tower
125 High Street
Boston, MA 02110

SEP 07 2004
FEE TRANSMITTAL
FY 2005
PATENT & TRADEMARK

Express Mail Label No. EL953455462US

Complete if Known

Application Serial Number	10/005,212
Filing Date	December 4, 2001
First Named Inventor	Gillies
Group Art Unit	1646
Examiner Name	Not Yet Assigned
Attorney Docket No.	LEX-002C1

METHOD OF PAYMENT

1. ☒ Payment Enclosed:
☒ Checks (2) ☐ Money Order ☐ Other
2. ☒ The Commissioner is hereby authorized to credit or charge any fee indicated below for this submission to Deposit Account No. 20-0531.
☐ Required Fees (copy of this sheet enclosed).
☒ Additional fee required under 37 CFR 1.16 and 1.17.
☒ Overpayment Credit.
3. ☐ Applicant claims small entity status.

FEE CALCULATION

1. FILING FEE

Large Entity

Fee (\$)	Fee Description	Fee Paid
740	Utility filing fee	740.00
330	Design filing fee	
160	Provisional filing fee	

Number Filed	Number Extra	Rate	Amount
--------------	--------------	------	--------

Total Claims - 20 = x \$ 18.00 =

Independent Claims - 3 = x \$ 84.00 =

☐ Multiple Dependent Claim(s), if any \$280.00 =

TOTAL: 740.00

SMALL ENTITY DISCOUNT:

SUBTOTAL (1) (\$) 740.00

2. AMENDMENT CLAIM FEES

Claims Remaining After Amend.	Highest No. Previously Paid For	Present Extra	Rate	Fee Paid
-------------------------------	---------------------------------	---------------	------	----------

Total - = x \$ 18.00 =

Indep. - = x \$ 84.00 =

☐ First Presentation of Multiple Dep. Claim + \$280.00 =

TOTAL: (\$)

SMALL ENTITY DISCOUNT: (\$)

SUBTOTAL (2) (\$)

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Fee (\$)	Small Entity Fee (\$)	Fee Description	Fee Paid
130	65	Surcharge - late filing fee or oath	130.00
50	25	Surcharge - late provisional filing fee or cover sheet	
130	130	Non-English specification	
2,520	2,520	Request for ex parte reexamination	
110	55	Extension for reply within first month	
400	200	Extension for reply within second month	400.00
920	460	Extension for reply within third month	
1440	720	Extension for reply within fourth month	
1960	980	Extension for reply within fifth month	
320	160	Notice of Appeal	
320	160	Filing a brief in support of an appeal	
280	140	Request for oral hearing	
130	130	Petitions to the Commissioner	
180	180	Submission of Information Disclosure Statement	
740	370	Filing a submission after final rejection (37 CFR 1.129(a))	
740	370	For each additional invention to be examined (37 CFR 1.129(b))	
100	100	Certificate of Correction for applicant's error	

Other fee (Specify)

Other fee (Specify)

SUBTOTAL (3) (\$) 530.00

SUBTOTAL (1) 740.00

SUBTOTAL (2)

SUBTOTAL (3) 530.00

TOTAL (\$) 1270.00

CORRESPONDENCE ADDRESS

Direct all correspondence to:

Patent Administrator
 Testa, Hurwitz & Thibault, LLP
 High Street Tower-125 High Street
 Boston, MA 02110
 Tel. No.: (617) 248-7000
 Fax No.: (617) 248-7100

SIGNATURE BLOCK

Date: May 31, 2002
 Reg. No.: 41,418
 Tel. No.: (617) 248-7240
 Fax No.: (617) 248-7100

Respectfully submitted,
Pat H. Wall
 Patrick R. H. Waller, Ph.D.
 Attorney for the Applicants
 Testa, Hurwitz & Thibault, LLP
 High Street Tower-125 High Street
 Boston, MA 02110



THE FACE OF THIS DOCUMENT HAS A COLORED BACKGROUND ON WHITE PAPER

Testa, Hurwitz & Thibault, LLP
125 High Street
Boston, MA 02110

Express Mail Label No. EL953455462US
Fleet Bank, N.A.
Boston, Massachusetts 02110

Date: April 30, 2002

208034

Pay: Nine hundred eighty and 00/100 ***** \$ ****980.00***

LEX-002C1

Testa, Hurwitz & Thibault, LLP

PAY
TO THE
ORDER OF:

Director of U.S. Patent & Trademark Office

U.S. Serial No. 10/005,212

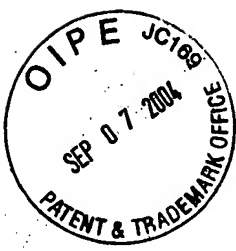
EXPRESS MAIL

No. EL953455462US

Joseph A. Hugg

SECURITY FEATURES INCLUDED. DETAILS ON BACK.

208034 1010003901512 38317



THE FACE OF THIS DOCUMENT HAS A COLORED BACKGROUND ON WHITE PAPER

Testa, Hurwitz & Thibault, LLP

125 High Street
Boston, MA 02110

Fleet Bank, N.A.
Boston, Massachusetts 02110

5-39/110

Date:

May 31, 2002

209206

Pay: Two hundred ninety and 00/100***** \$ ***290.00***

Testa, Hurwitz & Thibault, LLP

PAY TO THE
ORDER OF: Director of U.S. Patent & Trademark Office

EXPRESS MAIL

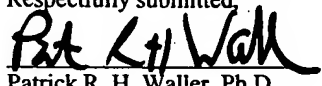
No. FL 953455462US

SECURITY FEATURES INCLUDED. DETAILS ON BACK.

209206 0100039055120038317



Express Mail Label No. EL953455462US

PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a)		Attorney Docket Number LEX-002C1																					
		In re Application of Gillies et al.																					
		Application Serial No. 10/005,212																					
		Filed: December 4, 2001																					
		Group Art Unit: 1646	Examiner: Not Yet Assigned																				
<p>This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a response in the above entitled application.</p> <p>The requested extension and appropriate non-small-entity fee are as follows (check time period desired)</p> <table border="0"><tr><td><input type="checkbox"/></td><td>One month (37 CFR 1.17(a)(1))</td><td>\$</td><td></td></tr><tr><td><input checked="" type="checkbox"/></td><td>Two months (37 CFR 1.17(a)(2))</td><td>\$</td><td>400.00</td></tr><tr><td><input type="checkbox"/></td><td>Three months (37 CFR 1.17(a)(3))</td><td>\$</td><td></td></tr><tr><td><input type="checkbox"/></td><td>Four months (37 CFR 1.17(a)(4))</td><td>\$</td><td></td></tr><tr><td><input type="checkbox"/></td><td>Five months (37 CFR 1.17(a)(5))</td><td>\$</td><td></td></tr></table> <p><input type="checkbox"/> Applicant claims small entity status under 37 CFR 1.27, therefore the fee amount shown above is reduced by one-half, and the resulting fee is: \$_____.</p> <p><input checked="" type="checkbox"/> A check in the amount of the fee is enclosed.</p> <p><input type="checkbox"/> The Commissioner is hereby authorized to charge the required fee to Deposit Account No. 20-0531. Enclosed is a duplicate of this sheet.</p> <p><input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Deposit Account No. 20-0531.</p> <p><input checked="" type="checkbox"/> Return receipt postcard enclosed.</p> <p>I am the <input type="checkbox"/> assignee of record of the entire interest. <input type="checkbox"/> applicant. <input checked="" type="checkbox"/> attorney or agent of record. <input type="checkbox"/> attorney or agent under 37 CFR 1.34(a). Registration number if acting under 37 CFR 1.34(a). _____</p>				<input type="checkbox"/>	One month (37 CFR 1.17(a)(1))	\$		<input checked="" type="checkbox"/>	Two months (37 CFR 1.17(a)(2))	\$	400.00	<input type="checkbox"/>	Three months (37 CFR 1.17(a)(3))	\$		<input type="checkbox"/>	Four months (37 CFR 1.17(a)(4))	\$		<input type="checkbox"/>	Five months (37 CFR 1.17(a)(5))	\$	
<input type="checkbox"/>	One month (37 CFR 1.17(a)(1))	\$																					
<input checked="" type="checkbox"/>	Two months (37 CFR 1.17(a)(2))	\$	400.00																				
<input type="checkbox"/>	Three months (37 CFR 1.17(a)(3))	\$																					
<input type="checkbox"/>	Four months (37 CFR 1.17(a)(4))	\$																					
<input type="checkbox"/>	Five months (37 CFR 1.17(a)(5))	\$																					
CORRESPONDENCE ADDRESS		SIGNATURE BLOCK																					
Direct all correspondence to: Patent Administrator Testa, Hurwitz & Thibault, LLP High Street Tower 125 High Street Boston, MA 02110 Tel. No.: (617) 248-7000 Fax No.: (617) 248-7100		Respectfully submitted,  Patrick R. H. Waller, Ph.D. Attorney for Applicant(s) Testa, Hurwitz & Thibault, LLP High Street Tower 125 High Street Boston, MA 02110																					

2376572_1



Express Mail Label No. EL953455462US

PATENT
Attorney Docket No. LEX-002C1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S): Gillies et al.
SERIAL NO.: 10/005,212 GROUP NO.: 1646
FILING DATE: December 4, 2001 EXAMINER: Not Yet Assigned
TITLE: HETERODIMERIC FUSION PROTEINS USEFUL FOR TARGETED
IMMUNE THERAPY AND GENERAL IMMUNE STIMULATION

Commissioner for Patents
Washington, D.C. 20231

SECOND PRELIMINARY AMENDMENT

Sir:

Please enter the following Preliminary Amendment for the above-identified continuation patent application.

AMENDMENTS

Prior to substantive examination, kindly amend the application as follows.

In the claims:

Please cancel claims 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21 and 22 without prejudice.

REMARKS

After entry of this Preliminary Amendment, claims 1, 2, 3, 23, and 24 are pending in the Application. Applicants have canceled claims 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 17, 18, 19, 20, 21 and 22 without prejudice and without any intention to abandon the subject matter as filed, but with the intention that claims of the same, greater, or lesser scope may be pursued in this or a continuing application. Applicants respectfully submit that no new matter is introduced by the amendment.

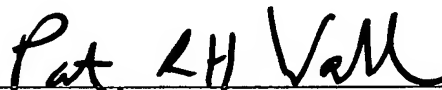
CONCLUSION

Applicants respectfully request that the Examiner contact the undersigned representative prior to issuing a first Office Action in this application. Applicants believe that no further fee is due at the time of submission of this paper, however, in the event that any further fees are due, the Director is hereby authorized to charge any such fees to Attorney's Deposit Account No. 20-0531.

The Examiner is invited to telephone Applicants' undersigned representative to discuss any outstanding issues.

Respectfully submitted,

Date: May 31, 2002
Reg. No. 41,418
Tel. No. (617) 248-7240
Fax No. (617) 248-7100



Patrick R. H. Wall
Attorney for the Applicants
Testa, Hurwitz, & Thibeault, LLP
High Street Tower
125 High Street
Boston, MA 02110

2376663



Express Mail Label No. EL953455462US

PATENT
Attorney Docket No. LEX-002C1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S): Gillies et al.
SERIAL NO.: 10/005,212 GROUP NO.: 1646
FILING DATE: December 4, 2001 EXAMINER: Not Yet Assigned
TITLE: HETERODIMERIC FUSION PROTEINS USEFUL FOR TARGETED
IMMUNE THERAPY AND GENERAL IMMUNE STIMULATION

BOX MISSING PARTS
Commissioner for Patents
Washington, D.C. 20231

RESPONSE TO NOTICE TO FILE MISSING PARTS

Sir:


In response to a "Notice to File Missing Parts of Application" dated January 31, 2002,
Applicants submit the following:

1. a check in the amount of \$980.00 and a check in the amount of \$290.00;
2. a copy of the "Notice to File Missing Parts of Application" (1 pg);
3. a Transmittal Form (1 pg);
4. a Fee Transmittal Form (1 pg);
5. a Preliminary Amendment (2 pgs);
6. a petition for a two month extension of time (1 pg); and
7. a return receipt postcard.

Respectfully submitted,

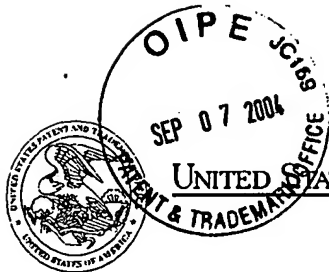
Date: May 31, 2002
Reg. No. 41,418

Tel. No.: (617) 248-7240
Fax No.: (617) 248-7100



Patrick R. H. Waller, Ph.D.
Attorney for Applicant(s)
Testa, Hurwitz, & Thibault, LLP
High Street Tower
125 High Street
Boston, Massachusetts 02110

2376581_1



Express Mail Label No. EL953455462US

UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/005,212	12/04/2001	Stephen D. Gillies	LEX-002C1 (4006/13)

CONFIRMATION NO. 6802

FORMALITIES LETTER



OC00000007400024

021323
TESTA, HURWITZ & THIBEAULT, LLP
HIGH STREET TOWER
125 HIGH STREET
BOSTON, MA 02110

Date Mailed: 01/31/2002

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 740 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$1612.
 - \$576 for 32 total claims over 20.
 - \$756 for 9 independent claims over 3 .
 - \$280 for multiple dependent claim surcharge.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 2482.

*A copy of this notice **MUST** be returned with the reply.*



Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE